



Reprinted  
February 26, 1999

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## HOUSE BILL No. 1110

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DIGEST OF HB1110 (Updated February 25, 1999 12:22 pm - DI 84)

**Citations Affected:** IC 11-10.

**Synopsis:** Department of correction drug program. Provides that if the department of correction or a contractor of the department provides prescription drugs to offenders through a drug program, the program must be developed and reviewed in consultation with a pharmacy and therapeutics committee. Provides that the drug program may use the office of medicaid policy and planning drug utilization board to fulfill its duties. (The introduced version of this bill was prepared by the Indiana Commission on Mental Health.)

**Effective:** July 1, 1999.

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**Crosby, Goeglein, Bischoff, Friend,  
McClain, Scholer, Brown T,  
Brown C**

(SENATE SPONSORS — JOHNSON, WASHINGTON, BOWSER)

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January 6, 1999, read first time and referred to Committee on Public Health.  
February 18, 1999, amended, reported — Do Pass.  
February 22, 1999, read second time, amended, ordered engrossed.  
February 23, 1999, engrossed.  
February 25, 1999, read third time, recommitted to Committee of One, amended; passed.  
Yeas 97, nays 0.

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HB 1110—LS 6080/DI 77+



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February 26, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## HOUSE BILL No. 1110

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 11-10-4-6.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 1999]: **Sec. 6.5. (a) If the department or a contractor provides**  
4 **prescription drugs and devices to offenders through the use of a**  
5 **drug program, the program must be developed, reviewed, and**  
6 **updated:**

7           (1) in consultation with; and

8           (2) with the approval of;

9 **a pharmacy and therapeutics committee.**

10       (b) A pharmacy and therapeutics committee that consults on  
11 and approves a drug program under subsection (a) must consist of:

12           (1) physicians licensed in Indiana under IC 25-22.5-1 with a  
13 specialty of psychiatry;

14           (2) a representative of the division of mental health; and

15           (3) a representative of the state department of health.

16 **A majority of the members of the committee must be physicians**  
17 **licensed in Indiana.**

HB 1110—LS 6080/DI 77+



1 (c) A drug program described in subsection (a) must be  
2 reviewed not less than annually to assure that the drug program  
3 contains appropriate drugs for the effective treatment of mental  
4 illness.

5 (d) A drug program described in subsection (a) must include  
6 policies and procedures that allow for the use of a drug not  
7 included in the drug program when the use is warranted by  
8 medical efficacy.

9 (e) The department shall establish procedures to ensure  
10 compliance with this section by any contractor or vendor  
11 responsible for a drug program utilized by the department.

12 (f) The commissioner, with the assistance of the commissioner  
13 of the state department of health, may adopt rules under IC 4-22-2  
14 to implement this section.

15 (g) The drug program may use the state office of Medicaid  
16 policy and planning drug utilization board to fulfill requirements  
17 of this chapter.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1110, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, before "If" insert "(a)".

Page 1, line 3, delete "wants to use a drug formulary" and insert "**or a contractor provides prescription drugs and devices to**".

Page 1, line 4, delete "for".

Page 1, line 4, after "offenders" insert "**through the use of a drug program**".

Page 1, line 4, delete "department shall:" and insert "**program must be developed, reviewed, and updated:**".

Page 1, line 5, delete "with the advice of the division of mental health, develop" and insert "**in consultation with; and**".

Page 1, delete lines 6 through 8.

Page 1, line 9, delete "have policies and procedures that provide exceptions to the" and insert "**with the approval of; a pharmacy and therapeutics committee.**

**(b) A pharmacy and therapeutics committee that consults on and approves a drug program under subsection (a) must consist of:**

- (1) physicians licensed in Indiana;**
- (2) a representative of the division of mental health; and**
- (3) a representative of the state department of health.**

**A majority of the members of the committee must be physicians licensed in Indiana.**

**(c) A drug program described in subsection (a) must be reviewed not less than annually to assure that the drug program contains appropriate drugs for the effective treatment of mental illness.**

**(d) A drug program described in subsection (a) must include policies and procedures that allow for the use of a drug not included in the drug program when the use is warranted by medical efficacy.**

**(e) The department shall establish procedures to ensure compliance with this section by any contractor or vendor responsible for a drug program utilized by the department.**

**(f) The commissioner, with the assistance of the commissioner of the state department of health, may adopt rules under IC 4-22-2 to implement this section."**

Page 1, delete line 10.



and when so amended that said bill do pass.

(Reference is to HB 1110 as introduced.)

BROWN C, Chair

Committee Vote: yeas 11, nays 0.

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## HOUSE MOTION

Mr. Speaker: I move that House Bill 1110 be amended to read as follows:

Page 1, line 12, after "**Indiana**" insert "**IC 25-22.5-1 with a specialty of psychiatry**".

Page 2, after line 13, begin a new paragraph and insert:

**"(g) The drug program may use OAPP's (State Office of Medicaid Policy and Planning) drug utilization board to fulfill requirements fo this chapter."**

(Reference is to HB 1110 as printed February 19, 1999.)

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## HOUSE MOTION

Mr. Speaker: I move that House Bill 1110 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 1, line 12, after "Indiana" insert "**under**".

Page 2, line 15, delete "OAPP's (State Office of".

Page 2, line 16, delete "Medicaid Policy and Planning)" and insert "**the state office of Medicaid policy and planning**".

Page 2, line 17, delete "fo" and insert "**of**".

(Reference is to HB 1110 as reprinted February 23, 1999.)

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## COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred House Bill 1110, begs leave to report that said bill has been amended as directed.

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